

Remarks/Arguments:

This is a reply to the office action of June 19.

Regarding the claim objection and claim rejections made in items 1 and 2 of the report, the claims to which these objections relate have been cancelled and the terminology where used in the amended claims has been corrected.

The new claims distinguish the invention from the prior art as explained below.

Hideki JP -09058462

While the first two lines of the abstract of this application refer to a "hand-pushed vehicle", the vehicle of the present invention is not a hand propelled vehicle but rather is a hand steered vehicle which is controlled by a steering handle and which has a drive source (5) which drives a pair of side wheels with the drive being controlled in accordance with the force applied to the handle.

In the present application, the invention is now claimed in independent claims 44 and 55 as a hand propelled (and not motorized vehicle) and in independent claim 53 as a hand propelled stroller or pram.

Item 2 of the Hideki drawings is not a touch or grip sensitive switch but rather is a steering handle. Hideki senses force on the handle 2 by using a force detector 3 positioned away from the gripping handle. While the abstract refers to stopping of the vehicle when the hand is not touching handle, it will also brake when a hand is touching the handle. Thus the handle of the Hideki does not respond to touch or grip on the handle but only force applied to the handle.

Hideki does not function after a predetermined movement or velocity of the vehicle after release of handle to apply brakes as claimed in the amended independent claims 44, 53 and 55 but, rather, a pre-determined time after a force or power on the handle reduces below a limit approaching zero.

Furthermore, in Hideki power is removed from the drive source to prevent drive being transmitted to the side wheels of the vehicle rather than applying a braking force to wheels of the vehicle. Hideki is more aimed at preventing rapid braking of a powered vehicle by reducing drive to the vehicle when it is detected that handle is not touching the vehicle.

As referred to above, in Hideki the handle of the vehicle could still be touched or gripped by a user and the brake would be activated as compared to the present invention where the brake is not applied when the handle is gripped or touched but only a predetermined period after the handle has been released. If the Hideki mechanism was applied to a hand propelled vehicle such as a pram or stroller, the pram or stroller could be braked while the handle was still being gripped and rapid forward movement would cause tipping of the pram or stroller.

De Goma US 6,296,261

This document discloses a hand propelled mobile bed in which a handle is provided with a manually actuated brake. The brake is either on or off. There is no time delay between release of the gripping handle and operation of the brake.

As Hideki does not disclose a hand propelled vehicle as now claimed having touch sensing means on a handle, and a braking apparatus for braking a wheel of a vehicle a predetermined movement or velocity of the vehicle after the handle is released, it is

submitted that the combination of Hideki and de Goma would not result in the invention as now claimed.

Yoshiko JP 11-122719

The vehicle disclosed in this document is also not a hand propelled vehicle as defined in the amended claims but a vehicle having a drive motor 12 for driving the left hand wheel and a drive motor 13 for driving the right side drive wheel. Speed sensors are associated with each drive wheel to sense when the speed falls below a predetermined value. Electromagnetic brakes stop the vehicle drive wheel when this occurs.

This is not the arrangement used in the present invention where brakes are only applied a predetermined distance or velocity after a handle of the hand propelled vehicle is released.

The brake in this document is released when force sensing portions on the handle sense a predetermined force applied to the handle sensing portions. While a pair of spaced sensors are provided on the handle as in the present invention, the sensors sense force applied to the handle to release the brakes. There appears to be no disclosure that both sensors are required to be gripped to release the brakes.

While the examiner states that in order to properly operate the cart both hands would need to be on the handle, it would appear that the brakes would be released when one hand is on a sensor of the handle and the other hand is on the handle but not on a sensor. This would negate the purpose of having two sensors both of which are required to be touched or gripped simultaneously to release the brakes as the possibility exists with Yoshiko device of releasing the brakes if only one sensor is gripped such as by a child which would inadvertently release the brakes.

We believe the claims now presented distinguish the invention from the prior art, and that this application is now in condition for allowance.

Respectfully submitted,

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